

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:15-cr-00127-MOC-DCK

UNITED STATES OF AMERICA, )  
)  
)  
v. )  
)  
DANIEL HEGGINS, )  
)  
Defendant. )

**ORDER**

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**THIS MATTER** is before the court on defendant's pro se filing entitled "Judicial Notice of Public Record and Demand for Redress" (#94). Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

The court has determined that the pleading does not have the earmarks of a Section 2255 petition as required under Rule 2, Federal Rules Governing Section 2255 Proceedings, and will, in an abundance of caution, not construe it as defendant's one opportunity for a Section 2255 petition. In accordance with Castro v. United States, 540 U.S. 375 (2003), the court will advise petitioner of the correct method for filing a Section 2255 if he chooses that course of action.

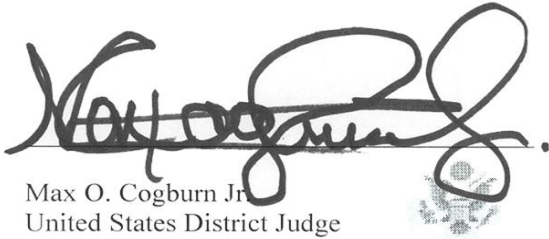
The court notes its earlier Orders in this matter. *Inter alia*, Mr. Heggins again asks the court to return his property, which includes his own body, name, and time. (#94) at 4. The filing suffers from the same infirmities as the defendant's earlier filings. As such, the arguments included in the pro se filing are again deemed to be frivolous. The court notes

that repeated frivolous filings are not advisable.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's "Judicial Notice of Public Record and Demand for Redress" (#94) is **DENIED** as **FRIVOLOUS** and requires no action from the court.

Signed: March 13, 2017



Max O. Cogburn Jr.  
United States District Judge